

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. 10/742,892

Confirmation No. 7096

Inventor: LAYFIELD, Jack et al

Filing Date: 23 December 2003

Title: MODULAR PREFABRICATED SPA

Examiner: NGUYEN, TUAN N.

Group Art Unit: 3751

Docket: 039209-0002US

July 23, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Response to Notice of Non-Compliant Amendment**

Dear Sir:

This communication is filed in response to the Notice of Non-Compliant Amendment mailed June 23, 2009.

The Examiner advised that the set of claims filed December 13, 2008 was not entered, on the basis that a complete set of the claims was not present. The Applicant respectfully disagrees with the Examiner's assessment.

For the Examiner's reference, the Applicant provides the following summary of the file history for the subject patent application:

- On December 13, 2008, the Applicant filed an Amendment which included a complete listing of the claims. However, in the Amendment, Claim 23 was incorrectly identified with the status identifier "withdrawn" even though the claim was both withdrawn and amended.